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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,702	07/23/2003	Michelle A. Wagner		7050

7590 11/30/2006
George R. Royer
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316 N. Michigan Street
Toledo, OH 43624

EXAMINER

BROWN, VERNAL U

ART UNIT PAPER NUMBER

2612

DATE MAILED: 11/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

SA

Office Action Summary	Application No. 10/624,702	Applicant(s) WAGNER, MICHELLE A.	
	Examiner Vernal U. Brown	Art Unit 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2006.
- 2a) ☒ This action is **FINAL**.
- 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 4 is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 - Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 - Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some * c) ☐ None of:
 - 1. ☐ Certified copies of the priority documents have been received.
 - 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
 - Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
 - Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to communication filed on September 19, 2006.

Response to Amendment

The examiner has acknowledged the amendment of claims 1-5.

Response to Arguments

Applicant's arguments filed September 19, 2006 have been fully considered but they are not persuasive.

Applicant argues on page 12 that the reference of Dunsworth does not teach an electromechanical feature including a spring, it is the examiner's position that the reference of Dunsworth is not relied upon for teaching an electromechanical feature including a spring. The reference of Hagy et al. is relied upon for teaching an electromechanical feature including a spring (col. 4 lines 48-55). The reference of Dunsworth teaches the lateral edge 26 higher than lateral edge 22 (figure 3).

Regarding applicant's argument on page 3, the argued limitation of the springs ensuring that at a point all or most portion of the medial line will be electronically receptive to an intrusion on the line is not claimed.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunsworth US patent 4522861 and further in view of Hagy et al. US Patent 3894437 and further in view of Roost US Patent 5186062.

Regarding claims 1-3, Dunsworth teaches a portable mat member for walking maneuvers over the upper surface having means thereon for the walking maneuvers thereon, comprising: (a) a longitudinally extending mat member having an upper surface (18) and a lower surface (24), said mat member having a first lateral edge and a second lateral edge, said mat member having a first end edge and a second end edge (figure 1); (b) a longitudinally extending marking member (28) extending from said first end edge to said second end edge (figure 1), said marking member being for walking maneuvers over the upper surface of said mat member (col. 2 lines 13-21), said marking member extending above the upper surface of the mat member (figure 1). Dunsworth also teaches the use of a luminous coating over the walkway (col. 2 lines 13-17). Dunsworth teaches the lateral edge 26 higher than lateral edge 22 (figure 3). Dunsworth is silent on teaching electromechanical pressure sensor means comprising a series of upright resilient spring members located under the longitudinally marking means. Hagy et al. in an art related walk path invention teaches the use of a plurality of springs located under a longitudinally marking and the spring further having mating contact (22) to receive downward contacting movement from the spring (col. 4 lines 48-55). Hagy et al. teaches each of the spring is connected to a moveable electromechanical contact Hagy et al. also teaches activating an electrical circuit when the spring is pressed (col. 4 lines 60-66). Hagy et al. is however silent on

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teaching each of the spring is interconnected to a movable electromechanical contact member.

Roost in an art related gait analysis system teaches a spring interconnected to a movable electromechanical contact member (45, 46) for detecting the pressure exerted by the spring.

It would have been obvious to one of ordinary skill in the art to have electromechanical sensor under the longitudinally extending member in Dunsworth because the electromechanical pressure sensor provides the means of sensing the walking maneuvers for further analysis and connecting the spring to a movable electromechanical contact member provides the means for detecting the pressure exerted on the spring.

Regarding claim 5, Dunsworth teaches a portable mat member for walking maneuvers over the upper surface having means thereon for the walking maneuvers thereon, comprising: (a) a longitudinally extending mat member having an upper surface (18) and a lower surface (24), said mat member having a first lateral edge and a second lateral edge, said mat member having a first end edge and a second end edge (figure 1); (b) a longitudinally extending marking member (28) extending from said first end edge to said second end edge (figure 1), said marking member being for walking maneuvers over the upper surface of said mat member (col. 2 lines 13-21), said marking member extending above the upper surface of the mat member (figure 1).

Dunsworth also teaches the use of a luminous coating over the walkway (col. 2 lines 13-17).

Dunsworth is silent on teaching electromechanical pressure sensor means comprising a series of upright resilient spring members located under the longitudinally marking means. Hagy et al. in an art related walk path invention teaches the use of spring located under a longitudinally marking and the spring further having mating contact (22) to receive downward contacting movement from the spring (col. 4 lines 48-55). Hagy et al. also teaches activating an electrical

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circuit when the spring is pressed (col. 4 lines 60-66). Hagy et al. is however silent on teaching each of the spring is interconnected to a movable electromechanical contact member. Roost in an art related gait analysis system teaches a spring interconnected to a movable electromechanical contact member (45, 46) for detecting the pressure exerted by the spring.

It would have been obvious to one of ordinary skill in the art to have electromechanical sensor under the longitudinally extending member in Dunsworth because the electromechanical pressure sensor provides the means of sensing the walking maneuvers for further analysis and connecting the spring to a movable electromechanical contact member provides the means for detecting the pressure exerted on the spring.

Allowable Subject Matter

Claim 4 is allowed.

Regarding claim 4, the prior art of record fail to teach or suggests the electromechanical mating members having a sound producing member to audibly signal the circuit has been closed.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vernal U. Brown whose telephone number is 571-272-3060. The examiner can normally be reached on 8:30-7:00 Monday-Thursday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 571-272-7308. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Vernal Brown
November 22, 2006



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